

* E-filed 11/5/07 *

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

3M COMPANY,

Plaintiff,

v.

MAURICE KANBAR, MK ENTERPRISES,
INC., ROLLIT, LLC, AND REX PRODUCTS,
INC.,

Defendants.

Case No. CV 06-01225 JW (HRL)

**ORDER TO SHOW CAUSE WHY
DOCUMENTS SHOULD NOT BE MADE
PART OF THE PUBLIC RECORD**

Re: Docket No. 328

Civil Local Rule 79-5 states that "a sealing order may issue only upon a request that establishes that the document, or portions thereof, is privileged or protectable as a trade secret or otherwise entitled to protection under the law." Rule 79-5 further states that "a stipulation, or a blanket protective order that allows a party to designate documents as sealable, will not suffice to allow the filing of documents under seal." (emphasis added)

The parties stipulated to having the following document filed under seal:

- Pages 2-4 and 7 of Plaintiff's Reply Memorandum in Support of its Motion to Compel (Docket No. 331).


Plaintiff noted in its motion that those portions should be filed under seal because they were designated by Defendants as confidential. This is insufficient under Rule 79-5.

1 Accordingly, Defendants are directed to submit by **November 9, 2007** either 1) the
2 requisite declarations showing why the document (or portions thereof) should be filed under
3 seal, or 2) a statement of non-opposition to the document being made part of the public record.

4 If court does not receive the necessary declaration on that date, the unredacted version
5 of this document will be made part of the public record.

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7 **IT IS SO ORDERED.**

8 Dated: 11/5/07


HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE

1 THIS SHALL CERTIFY THAT A COPY OF THIS ORDER WILL BE SENT TO:

2 John Cameron Adkisson jca@fr.com, mla@fr.com

3 Juanita R. Brooks brooks@fr.com, njohnson@fr.com

4 Ann N. Cathcart Chaplin cathcartchaplin@fr.com, lindstedt@fr.com

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11 Kevin H. Rhodes krhodes@mmm.com

12 Constance Jiun-Yee Yu cyu@sideman.com

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14 * Counsel are responsible for providing copies of this order to co-counsel.

15 Dated: 11/5/2007

16 /s/ KRO
17 Chambers of Magistrate Judge Lloyd
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